

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN THE MATTER OF ]  
THE EXTRADITION OF ] No. 11-MJ-4092-TSH  
CARLOS SERGIO SIQUEIRA ]

**AFFIDAVIT OF WAIVER OF EXTRADITION**

I, CARLOS SERGIO SIQUEIRA, state the following under oath:

1. I have been fully informed by my attorney, Assistant Federal Defender Oscar Cruz, of my rights under the extradition treaty in force between the United States and Brazil, and under Title 18, United States Code, § 3184 et seq.
2. I hereby waive any and all such rights and ask the Court to expedite my return, in custody, to Brazil.
3. I am satisfied with the assistance provided to me by Mr. Cruz, and he has explained to me the terms of the extradition treaty in force between the United States and Brazil; the applicable sections of Title 18, United States Code; and the complaint filed by the United States Attorney on behalf of the Government of Brazil.
4. I understand that, pursuant to Title 18, United States Code, Section 3184, I am entitled to a hearing at which certain facts would need to be established, including:
  - a. that currently there is a valid extradition treaty in force between the United States and Brazil;
  - b. that the treaty covers the offenses for which my extradition was requested;
  - c. that I am the person whose extradition is sought by the Government of Brazil; and

- d. that probable cause exists to believe that I committed the offenses for which extradition was requested.
- 5. I concede that I am the person against whom charges are pending in Brazil and for whom process is outstanding there.
- 6. I fully understand that in the absence of a waiver of my rights, I cannot be compelled to return to Brazil unless and until a court in the United States issues a ruling certifying my extraditability and the Secretary of State of the United States orders my extradition by issuing a warrant of surrender.
- 7. I have reviewed the complaint and I understand my right to a hearing at which my lawyer and I could challenge the extradition request presented by the Government of Brazil, including but not limited to presenting evidence relevant to the factors listed in paragraph 4 above.
- 8. I hereby waive my rights under the extradition treaty and the applicable sections of Title 18, United States Code, and agree to be transported in custody, as soon as possible, to Brazil, and to remain in custody pending the arrival of agents from Brazil.
- 9. No representative, official, or officer of the United States or of the Government of Brazil, nor any person whomsoever, has made any promise or offered any other form of inducement nor made any threat or exercised any form of intimidation against me.

10. I execute this waiver of rights knowingly, voluntarily and entirely of my own free will and accord.

Dated this 27 day of May, 2011.

X 27/11/2011 Signature  
CARLOS SERGIO SIQUEIRA

Signature 27  
OSCAR CRUZ, ESQ.  
Assistant Federal Defender

I hereby certify that on 27 day of May, 2011, CARLOS SERGIO SIQUEIRA personally appeared before me and made his oath in due form of law that the statements herein are true.

Signature 27  
HON. JAMES P. MILLMAN  
United States Magistrate Judge  
District of Massachusetts

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**ORDER ON WAIVER OF EXTRADITION**

The Court having received the Complaint filed on March 11, 2011, by Andrew E. Lelling, Assistant United States Attorney for the District of Massachusetts, for and on behalf of the Government of Brazil, and at the request of the Government of Brazil, for the provisional arrest and extradition of CARLOS SERGIO SIQUEIRA, and an affidavit executed by SIQUEIRA and witnessed by his attorney, Oscar Cruz, Assistant Federal Defender for the District of Massachusetts;

And, further, the Court having been advised in open session that SIQUEIRA is a fugitive sought by the Government of Brazil, and that

- a. he is aware that the Government of Brazil has filed charges against him and has obtained a warrant for his arrest;
- b. he has reviewed the Complaint filed by the United States Attorney;
- c. he has been fully advised of his rights in this country pursuant to the extradition treaty in force between the Government of the United States and the Government of Brazil, and Title 18, United States Code, § 3184 et seq., including his right to an extradition hearing, and
- d. he has knowingly and voluntarily waived those rights;

**IT IS THEREFORE ORDERED** that be committed to the custody of the United States Marshal for the District of Massachusetts pending arrival of the duly authorized representatives of the Government of Brazil, at which time the United States Marshal shall deliver SIQUEIRA to the custody of such authorized representatives, to be transported to Brazil to be held for trial or other disposition; and

**IT IS FURTHER ORDERED** that the transfer of physical custody of SIQUEIRA shall be at such time and place as mutually agreed upon by the United States Marshal and the duly authorized representatives of the Government of Brazil.

**THE CLERK OF COURT IS HEREBY DIRECTED** to forward copies of this Order, and of the executed Affidavit of Waiver, to the attention of Director, Office of International Affairs, Criminal Division, U.S. Department of Justice, in Washington, D.C., and to the Assistant United States Attorney.

SO ORDERED this 27<sup>th</sup> day of May, 2011.

HON. TIMOTHY S. HILLMAN  
United States Magistrate Judge  
District of Massachusetts